

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

**BOILERMAKER-BLACKSMITH NATIONAL  
PENSION FUND, et al.,**

**Plaintiffs,**

**v.**

**THE SMEDLEY COMPANY,**

**Defendant.**

**Case No. 17-2104**

**ORDER OF DEFAULT JUDGMENT**

This matter comes before the court upon plaintiffs' Motion for Default Judgment (Doc. 6). Plaintiffs filed this action on February 21, 2017, alleging that defendant breached a collective bargaining agreement by, among other things, failing to make monthly contributions to a fund for employee benefits and failing to report the hours of covered worked performed by its employees at different times in violation of the Employment Retirement Income Security Act of 1974 ("ERISA"). Defendant did not file an answer or other responsive motion. On March 29, 2017, plaintiffs filed an application for clerk's entry of default, which was entered on April 6, 2017. Defendant did not seek to set aside the clerk's entry of default and on April 20, 2017, plaintiffs moved for default judgment.

Plaintiffs' motion for default judgment seeks \$9,198.64 in liquidated damages, \$842.26 in interest as of 4/7/17, costs in the amount of \$518.75, and \$1,190.00 in attorney fees, totaling \$11,749.65. The court finds that defendant is in default and an entry of default judgment is proper pursuant to Federal Rule of Civil Procedure 55.

**IT IS THEREFORE ORDERED** that plaintiffs' Motion for Default Judgment (Doc. 6) is granted and default judgment is entered against defendant and in favor of plaintiffs in the amount of \$11,749.65.

Dated October 20, 2017, at Kansas City, Kansas.

s/ Carlos Murguia  
**CARLOS MURGUIA**  
**United States District Judge**